



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION VIII**

**999 18th STREET - SUITE 500  
DENVER, COLORADO 80202-2466**

Ref: 8ENF-L

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Kerr McGee Rocky Mountain Corp.  
c/o John R. Jacus, Esq.  
Davis, Graham & Stubbs, L.L.C.  
Post Office Box 185  
Denver, Colorado 80201-0185

Re: Termination of Order Issued to HS Resources, Inc.  
Pursuant to Section 7003 of RCRA (Docket No. RCRA (7003) VIII-95-04)

Dear Mr. Jacus:

The United States Environmental Protection Agency Region VIII (EPA) has received and reviewed the Final Closure and Clean-up Verification Report, prepared by LT Environmental (Report) and submitted on behalf of HS Resources, Inc., now known as Kerr McGee Rocky Mountain Corp. (Kerr McGee) pursuant to paragraph VII.E.5 of the administrative order referenced above (Order), and the certification submitted pursuant to paragraph VII.E.6 of the Order. The Report describes the completion of activities conducted pursuant to the Order. EPA is also in receipt of your letter dated October 31, 2002, to Nancy Mangone written on behalf of your clients BP America Production Company and Kerr McGee confirming Kerr McGee's agreement to comply with certain conditions set forth in a letter from Ms. Mangone to you dated August 29, 2002. (Copies of both letters are attached.)

Section XVI.C of the Order states that the Order shall terminate upon receipt of written notice from EPA that Kerr McGee has demonstrated completion of all tasks required under the Order to the satisfaction of EPA. EPA has determined that, based on information provided in the Report, observations made during EPA site inspections, and Kerr McGee's commitment to comply with the conditions set forth in the August 29, 2002, letter, the requirements and corrective measures required under the terms of the Order, including additional actions determined necessary by EPA, have been satisfactorily completed. Therefore, upon receipt of this letter, the Order is terminated.



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EPA would like to remind Kerr McGee of its ongoing obligation under Section X of the Order to preserve, retain, and make available to EPA, all documents and records in its control, or in the control of any contractor or sub-contractor, relating to all actions under this Order, for three years from the date of this letter. This duty includes, but is not limited to, retention of all sampling tests, and other data and information with respect to implementing the Order. After the three year period of document and record retention specified under the Order, Kerr McGee must notify EPA and the State at least 90 days prior to the destruction of any such documents and records, and EPA or the State may request that you submit such records. In addition, the conditions agreed to by Kerr McGee in your letter of October 31, 2002, survive the termination of the order.

EPA recognizes and appreciates the efforts Kerr McGee has made in meeting the requirements of the Order. Kerr McGee's corrective measures have contributed to an overall effort of EPA and our co-regulators to address the significant hazards posed to health and the environment, including wildlife, from uncontrolled oil pits. If you have any further questions or require additional information, please contact Corbin Darling at (303) 312 6426, or Chuck Figur at (303) 312 6915.

Sincerely,

**SIGNED**

Sharon Kercher, Director  
Technical Enforcement Program

enc. (2)

copy: Glenn Mallory, CDPHE  
Roger Doak, CDPHE  
Trevor Jiricek, Weld County Health Department  
Roger Gephart, USFWS  
Pedro Ramirez, USFWS  
Johanna Miller, Region 8  
Nancy Mangone, Region 8  
Corbin Darling, Region 8  
Chuck Figur, Region 8  
Chris Lehnertz, Region 8

**THIS DOCUMENT WAS FILED IN THE REGIONAL HEARING CLERK'S OFFICE  
ON JANUARY 27, 2003.**